UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,070	03/30/2001	Priya Rajagopal	042390.P10458	8238

		EXAMINER
7590	03/31/2005	NGUYEN, DUSTIN

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ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
09/823,070</td><td>Applicant(s)
RAJAGOPAL ET AL.</td></tr>
<tr><td>Examiner
Dustin Nguyen</td><td>Art Unit
2154</td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12 November 2004</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 20 are presented for examination.

Response to Arguments

2.   Applicant's arguments filed 11/12/2004 have been fully considered but they are not

persuasive.

3.   As per remarks, Applicants' argued that (1) there is no suggestion in Voth [US Patent No

6,199,169] that processor tick counter values be employed together with timing offsets.

4.   As to point (1), it is rejected for similar reasons as stated below. Furthermore, Voth

discloses the slave nodes adjust and align the time clocks by using the tick values [col 15, lines

18-30]. In addition, in response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies (i.e.,

processor tick counter values be employed together with timing offsets) are not recited in the

rejected claim(s). Although the claims are interpreted in light of the specification, limitations

from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United
> States before the invention thereof by the applicant for patent, or on an international application by another who
> has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention
> thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

6.   Claims 1-7, 9-12, 14-17, 19 and 20 are rejected under 35 U.S.C. 102(e) as being

anticipated by Voth [US Patent No 6,199,169].

7.   As per claim 1, Voth discloses the invention substantially as claimed including a method

comprising:

obtaining a processor tick counter value from a first processing engine [604-608, Figure

6; col 6, lines 31-37; and col 8, lines 57-67];

comparing the obtained processor tick counter value to a processor tick counter value

from a second processing engine [col 6, lines 38-53];

and determining a timing offset for synchronizing the first processing engine and the

second processing engine using the comparison [col 6, lines 54-col 7, lines 18].

8.   As per claim 2, Voth discloses wherein obtaining a processor tick counter value

comprises sending a request message from the second processing engine to the first processing

engine, and receiving a reply from the first processing engine at the second processing engine [

Figure 6; and col 2, lines 57-63].

9.   As per claim 3, Voth discloses wherein the processor tick counter value at the second

processing engine is determined by recording the time at which the request message is sent [

Figure 4; and col 5, lines 26-32].

10.   As per claim 4, Voth discloses wherein the processor tick counter value at the second

processing engine is determined by recording the time at which the reply is received [i.e. add]

[col 2, lines 61-63].

11.   As per claim 5, Voth discloses repeating sending a request message, recording the time,

receiving a reply, recording the time and determining a timing offset until the determined timing

offsets are within a predetermined variability range [i.e. repeat update] [col 3, lines 10-19].

12.   As per claim 6, Voth discloses applying a time stamp to a message sent from the second

processor [Abstract], the time stamp being determined by applying the determined timing

offset [628, Figure 6; and col 16, lines 53-54].

13.   As per claim 7, Voth discloses receiving an instruction having an execution time and

interpreting the execution time by applying the determined timing offset [626, 628, Figure 6;

and col 3, lines 3-7].

14.   As per claim 9, it is program product claimed of claim 1, it is rejected for similar reasons

as stated above in claim 1.

15.   As per claims 10-12, they are program product claimed of claims 2-4, they are rejected

for similar reasons as stated above in claims 2-4.

16.   As per claim 14, it is apparatus claimed of claim 1, it is rejected for similar reasons as

stated above in claim 1.

17.   As per claims 15-17, they are apparatus claimed of claims 2-4, they are rejected for

similar reasons as stated above in claims 2-4.

18.   As per claims 19 and 20, they are apparatus claimed of claims 6 and 7, they are rejected

for similar reasons as stated above in claims 6 and 7.

Claim Rejections - 35 USC § 103

19.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

20.   Claims 8, 13 and 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Voth

[US Patent No 6,199,169], in view of Ozcetin et al. [US Patent No 6,611,922].

21.   As per claim 8, Voth does not specifically disclose obtaining a processor frequency

from the first processing engine; obtaining a processor frequency from the second processing

engine; and correcting the timing offset for any difference between the first processing engine

frequency and the second processing engine frequency. Ozcetin discloses obtaining a processor

frequency from the first processing engine; obtaining a processor frequency from the second

processing engine; and correcting the timing offset for any difference between the first

processing engine frequency and the second processing engine frequency [col 3, lines 41-55;

and col 9, lines 61-col 10, lines 9]. It would have been obvious to a person skill in the art at the

time the invention was made to combine the teaching of Voth and Ozcetin because Ozcetin's

teaching would allow to synchronize internal clock times of monitors to a universal time or line

frequency and synchronizing internal clock times without causing discontinuities and drift [

Ozcetin, col 3, lines 24-28].

22.   As per claim 13, it is program product claimed of claim 8, it is rejected for similar

reasons as stated above in claim 8.

23.   As per claim 18, it is apparatus claimed of claim 8, it is rejected for similar reasons as

stated above in claim 8.

24.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The

examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Follansbee John can be reached on (703) 305-8498. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Dustin Nguyen
Examiner
Art Unit 2154